

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

EVGENY BURYAKOV,
a/k/a “Zhenya,”

Defendant.

S1 15 Cr. 73 (RMB)

**JOINT PROPOSED
EXAMINATION OF PROSPECTIVE JURORS**

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The parties respectfully request, pursuant to Rule 24(a) of the Federal Rules of Criminal Procedure, that the Court include the following questions in its examination of prospective jurors. The Court is requested to pursue more detailed questioning if a prospective juror's answer reveals that further inquiry is appropriate and, in such an instance, to conclude by asking whether the particular fact or circumstance would influence the prospective juror in favor of or against either the Government or the defendant.

[The defense proposes the following: Cognizant of the need to proceed expeditiously, should the Court wish not to ask all of the questions detailed below, the parties respectfully request that the Court permit the use of a questionnaire, to be distributed and returned in advance. If the Court is amenable to proceeding in this fashion, the parties would meet and confer on the contents of such questionnaire, and would submit a mutually acceptable version for the Court.]

[**Government response:** The Government does not believe a questionnaire is appropriate here. This case does not fit into the types of cases in which jury questionnaires have typically been used. For example, the Government does not expect an unusually large venire

pool to be necessary here. *See, e.g., United States v. Rahman*, 189 F.3d 88, 121 (2d Cir. 1999) (questionnaire used to examine 500 jurors in case arising from actual and attempted terrorist actions in New York area, including the 1993 World Trade Center bombing). Nor is this a case where a large number of prospective jurors are likely to be stricken for cause because, for example, the death penalty is a possible punishment. *United States v. Quinones*, 511 F.3d 289, 297 (2d Cir. 2007) (juror questionnaire used to examine “hundreds” of jurors summoned in trial where Government sought death penalty). Nevertheless, should the Court deem a questionnaire appropriate, the Government will, of course, meet and confer with defense counsel regarding such a questionnaire.]

The Charges

1. This is a criminal case. The defendant, EVGENY BURYAKOV, a/k/a “Zhenya,” is charged in an Indictment returned by a grand jury sitting in this District. The Indictment contains two counts. I will now briefly summarize these charges.

Count One charges the defendant with conspiring with others to commit a federal crime, specifically by conspiring to act in the United States as an agent of a foreign Government, namely the Russian Federation, without prior notification to the Attorney General.

Count Two charges the defendant with committing the crime of acting in the United States as an agent of a foreign Government, namely the Russian Federation, without prior notification to the Attorney General.

These crimes are alleged to have been committed between in or about 2012 and on or about January 26, 2015.

[\[The defense would strike “Zhenya” from the defendant’s name above.\]](#)

[Government response: The Government anticipates there will be overwhelming evidence at trial that the defendant used the name “Zhenya,” including, for example, recordings in which his co-conspirator Igor Sporyshev refers to the defendant as “Zhenya.” Referring to the defendant as “Zhenya” in voir dire is particularly appropriate because, given that the defendant went by that name, prospective jurors may have known the defendant by that name and not as “Evgeny.” Moreover, English speakers likely would not know that Zhenya is a nickname for Evgeny, and thus would not associate someone they know as Zhenya with a person named Evgeny]

[The Government proposes the following as its one-sentence summary of the case:] The Government submits that the evidence will show that the defendant, while he lived and worked in New York City, acted as an agent of the Russian Federation without giving the required notice to the Attorney General, and conspired to act as an agent of Russia with other Russians who officially held diplomatic and trade positions, and who also worked for Russia’s foreign intelligence service.

[The defense proposes the following as its one-sentence summary of the case]: Mr. Buryakov denies any guilt, including specifically denying that he was under the direction or control of the co-defendants, and claims that he worked as the deputy representative of the New York office of VEB, an agency of the Russian Federation that promotes investments and trade with Russia, a job that was fully disclosed to the U.S. government, and which involved Mr. Buryakov collecting and exchanging information relating to legal commercial transactions.

2. Does any juror have any personal knowledge of the charges as I have described them?

3. Please be advised that the Indictment is not evidence. It simply contains the charges that the Government is required to prove beyond a reasonable doubt.

[The defense would add the following: You will receive legal instructions about what a foreign agent is for the purposes of the alleged offenses, and when someone who may be a foreign agent does not otherwise have to register.]

[**Government response:** The Government objects to this instruction. It serves no purpose here, it is unnecessary, and it inconsistent with the practice in this District, and unfair, to highlight one particular element of the offense at this early stage of the case.]

Ability to Sit as Jurors

4. Does any juror have a problem with his or her hearing or vision, or any other medical problem, which would prevent him or her from giving full attention to all of the evidence at this trial? Is any juror taking any medication which would prevent him or her from giving full attention to all the evidence at this trial?

5. Does any juror have any difficulty in reading or understanding English in any degree?

6. Does any juror have any religious, philosophical or other belief which would make him or her unable to render a guilty verdict for reasons unrelated to the law and the evidence?

Ability to Render a Fair Verdict

7. As I have mentioned, the charges in this case involve acting in the United States on behalf of a foreign government, specifically the Russian Federation, which is the official name of the country more commonly known as Russia. Is there anything about the nature of

these charges that would cause you to be unable to render a fair and impartial verdict in this case?

8. Do any of you believe that it should not be a crime for a person to act as an agent of a foreign government in the United States without proper notification to the United States government?

9. **[The defense would add the following: Do any of you believe that it should be a crime for a person acting on behalf of a foreign bank to gather and analyze information about the US economy?]**

[Government response: The Government objects to this question which is an attempt to preview the defense's theory of the case or part of the defense's theory of the case. It is not the practice in this District to ask the venire its view of the legality of conduct that is not the crime charged, nor should it be, because such questions are likely to sow confusion among potential jurors who have received no substantive instructions on the law applicable to the crimes charged. Moreover, this District is home to a great many foreign banks that employ a great many employees. If there is a district in which prejudice against foreign banks conducting legal functions is an issue that needs to be explored on voir dire, it is not this District].

10. I expect you will hear evidence that, the Government alleges, shows activities of the Russian intelligence service in the United States. Is there anything about this kind of evidence that would cause you to be unable to render a fair and impartial verdict in this case?

11. Has any juror or any member of your family or any close friend or relative ever been a citizen of the Russian Federation or the country that preceded the Russian Federation, the Union of Soviet Socialist Republics, also known as the Soviet Union, or any of the parts of the Soviet Union that have since become independent states, like Ukraine, Kazakhstan, Latvia, etc.?

Has any juror ever lived in Russia or the Soviet Union? Has any juror ever visited Russia or the Soviet Union? If your answer is yes to any of the questions I just asked, is there anything about having lived in or visited, or having been a citizen of, Russia or the Soviet Union that would cause you to be unable to render a fair and impartial verdict in this case?

12. **[The defense would add the following.] Have any of you lived or worked outside the United States? If so, please describe the circumstances.**

[Government response: The Government believes this question is unnecessary and may result in a large number of “yes” answers that have little or no potential impact on a person’s ability to be a fair and unbiased juror. It seems highly unlikely that a juror’s having lived in South America or Asia, for example, would lead a juror to be biased against either party here.]

13. Do you have any views about the Russian Federation? About Vladimir Putin, the President of the Russian Federation, or any other Russian government officials? If so, what are they?

14. Does any juror know anyone who works for the Russian Federation?

15. Does any juror know anyone who works for a Russian bank called VEB?

16. Has any juror ever undertaken any study of the Russian language, Russian history, Russian politics, or similar topics? Is there anything about these experiences that would cause you to be unable to render a fair and impartial verdict in this case?

17. **Law-Enforcement Personnel.** The witnesses in this case will include law-enforcement personnel, including agents of the Federal Bureau of Investigation, which is commonly known as the FBI. Would any juror be more likely to believe or disbelieve a witness merely because he or she is a law-enforcement officer, and particularly, a federal law

enforcement officer, such as an agent of the FBI? Has any juror ever had an experience with a law enforcement officer that has led you to be more likely to believe or disbelieve a law enforcement officer? Has any relative, close friend or associate of yours had an experience with a law enforcement officer that has led you to be more likely to believe or disbelieve a law enforcement officer?

18. [The defense proposes the following.] Do you have any views about the Department of Justice, the Federal Bureau of Investigation, or the Department of Homeland Security? If so, what are they?

[Government response: The Government believes that this question is unnecessary in light of other questions herein. Further, the question is worded in a such a way so as to generate a response (“any views”) that would not be materially probative of juror bias, given that many, or even most, jurors may have some view of federal law enforcement.]

19. You will hear testimony in this case regarding undercover law enforcement operations in which FBI agents posed as individuals who were providing non-public information to the defendant and his co-conspirators.

[The Government requests the following sentence be included, to which the defense objects. The Government submits that this instruction is standard in cases in this District involving undercover law enforcement operations and an accurate statement of the law.] I instruct you that such undercover operations are perfectly legal and are often a necessary law enforcement tool.

Do any of you have any feelings about these types of operations, or the use of evidence or information obtained from these types of operations, that would make it difficult for

you to render a fair and impartial verdict? Would you have any bias for or against the Government because of evidence obtained in this manner?

20. **Searches.** Some of the evidence admitted at trial may come from searches performed by law enforcement officers, including searches of computers and other electronic devices, searches of e-mail accounts, and searches of an office and a home.

[The Government requests the following sentence be included, to which the defense objects. The Government submits that this instruction is standard in cases in this District involving searches and an accurate statement of the law.] I instruct you that those searches were legal and that the evidence obtained from those searches is admissible in this case.

Do any of you have feelings about searches conducted by law enforcement officers or the use of evidence obtained from searches that would affect your ability to be fair and impartial in this case?

21. [\[The defense requests the following.\] Have any of you followed the dispute between the FBI and Apple, Inc. arising from the FBI's request that Apple provide a key or backdoor to investigate an iPhone?](#)

[Government response: The Government objects to this question. The on-going litigation in other districts is irrelevant to this case and asking this question may result in juror confusion about the issues here or the investigative techniques that will be before the jury, which do not include the use of a key or “backdoor” to investigate any electronic device.].

22. **Recordings.** Some of the evidence in this trial may be presented in the form of recorded conversations, including recorded telephone conversations and conversations recorded in cars, offices, and a home, as well as video recordings.

[The Government requests the following sentence be included, to which the defense objects. The Government submits that this instruction is standard in cases in this District involving recordings and an accurate statement of the law.]: I instruct you that these recordings were properly obtained and that it is proper for this evidence to be introduced at trial for your consideration.

Do any of you have any feelings or opinions about the use of evidence obtained by law enforcement from conversations recorded in cars, homes, or offices or on telephone lines, or evidence obtained from video recordings, that could affect your ability to be fair in this case?

23. Does anyone have any expectations about the types of evidence that the Government should or will present in this criminal trial, or in a criminal trial more generally?

24. Would any of you be unable to follow my instructions that the Government is not required to use any particular investigative technique uncovering evidence of or prosecuting a crime?

[The defense objects to questions 23 and 24.]

[Government response: The Government submits that these questions are standard in this District, an accurate statement of the law, and appropriate to identify any juror who would, contrary to applicable law, demand the use of particular investigative techniques by the Government, rather than on relying on the evidence actually presented at trial. *See, e.g., United States v. Saldarriaga*, 204 F.3d 50, 53 (2d Cir.2000) (“[T]he government has no duty to employ in the course of a single investigation all of the many weapons at its disposal, and . . . the failure to utilize some particular technique or techniques does not tend to show that a defendant is not guilty of the crime with which he has been charged.”).]

25. **Persons Not On Trial.** You may hear evidence that other individuals, in addition to the defendant, were involved in the alleged crimes. Those other individuals are not on trial here. You may not draw any inference, favorable or unfavorable, towards the Government or the defendant on trial from that fact. You may also not speculate as to the reason why other persons are not on trial in this case. Is there any juror who cannot follow this instruction or who for this reason would have difficulty rendering a fair and impartial verdict?

26. **Russian language.** Some of the recordings and documents in this case may be in the Russian language. Do you speak or understand Russian? Because all jurors are to consider the same evidence, a juror who understands the Russian language is to rely on the official English translation provided by the translator even if that translation differs from the juror's understanding of the testimony. Would you have any difficulty following that instruction?

27. **Foreign National.** The defendant Evgeny Buryakov is a citizen of the Russian Federation. Would you have any difficulty according the presumption of innocence to someone who is not a citizen of the United States?

28. **Right Not to Testify.** Under our Constitution, a defendant has no obligation to testify or to present any evidence because it is the Government's burden to prove the defendant guilty beyond a reasonable doubt. Does any juror expect a defendant in a criminal case to testify? Would you hold it against the defendant if he exercised his right not to testify?

Knowledge of the Trial Participants

29. The Government is represented here by the United States Attorney for the Southern District of New York, Preet Bharara. This trial will be in the immediate charge of Assistant United States Attorneys Emil J. Bove, Brendan F. Quigley, and Stephen J. Ritchin.

Do any of you know Mr. Bharara, Mr. Bove, Mr. Quigley, or Mr. Ritchin? Have any of you had any dealings, either directly or indirectly, with these individuals? The Government will also be assisted at counsel table by Vanessa Quinones, a paralegal at the U.S. Attorney's Office and Special Agent Gregory Monaghan of the FBI. *[Please ask them to stand]*. Have any of you had any dealings, either directly or indirectly, with these individuals?

30. The defendant in this case is EVGENY BURYAKOV, a/k/a "Zhenya." Does any juror know, or has any juror had any dealings, directly or indirectly, with the defendant in this case? Does any juror know, or has any juror had any dealings, directly or indirectly, with any family members or friends of the defendant? Does any juror have any relatives, friends, associates or employers who know or who have had any dealings with the defendant?

[\[The defense would strike "Zhenya" from the defendant's name above.\]](#)

[Government response: Again, the Government anticipates there will be overwhelming evidence at trial that the defendant used the name "Zhenya," including, for example, in recordings in which co-conspirator Igor Sporyshev refers to the defendant as "Zhenya." Referring to the defendant as "Zhenya" in voir dire is particularly appropriate because, given that the defendant went by that name, prospective jurors may have known the defendant by that name and not as "Evgeny." Moreover, English speakers likely would not know that Zhenya is a nickname for Evgeny, and thus would not associate someone they know as Zhenya with a person named Evgeny.]

31. Defendant EVGENY BURYAKOV, a/k/a "Zhenya," is represented by the law firm of White and Case LLP, and specifically by Scott Hershman, Owen Pell, Daniel Levin, Gregory Little, Kimberly Haviv, Martin Sawyer, and Kelly Newman. *[Please ask them to stand]*. Do any of you know Mr. Hershman, Mr. Pell, Mr. Levin, Mr. Little, Ms. Haviv, Mr.

Sawyer or Ms. Newman? Have any of you had any dealings, either directly or indirectly, with these individuals? Has any juror had any dealings, either directly or indirectly, with the law firm of White and Case LLP?

32. I will now read a list of names of individuals who may be mentioned during the trial, or who may be witnesses in this case:¹

Igor Sporyshev

Victor Podobnyy

Marina Buryakova

Alexander Slepnev

Alexander Danilov

33. Do any of you know any of those people? Have you had any dealings, directly or indirectly, with any of them? To your knowledge, have any of your relatives, friends, or associates had any dealings with them?

Knowledge of Locations/Organizations

34. I will now read a list of names of locations and organizations that may be mentioned during the trial:

5833 Liebig Avenue, Bronx, New York, which is in the Riverdale section of the Bronx

The Russian Mission to the United Nations, East 67th Street, New York, New York

Consulate General of Russia, East 91st Street, New York, New York

Vnesheconombank, also known as VEB, 400 Madison Avenue, New York, New York, and 777 Third Avenue, New York, New York

¹ The parties' witness lists are not finalized, and the parties anticipate supplementing this list prior to trial.

The Russian Residential Complex in the Riverdale section of the Bronx

The Trade Representation of the Russian Federation in the United States of America, 353 Lexington Ave., New York, New York

The New York Stock Exchange

Are any of you particularly familiar with these locations or entities?

Relationship with the Government

35. Do any of you know, or have any of you had any association—professional, business, social, direct or indirect—with any member of the staff of the United States Attorney’s Office for the Southern District of New York or the Federal Bureau of Investigation? Is any member of your family employed by any federal, state, or local law-enforcement agency?

36. Have you, or has any member of your family, either individually or in the course of business, ever been involved in any way in a legal action or dispute with the any of the offices, departments, agencies or employees of the United States, including the Department of Justice, the U.S. Attorney’s Office, the FBI, the Department of Homeland Security, or had any interest in any such legal action or dispute or its outcome?

[\[The defense would add the “NSA” and the “CIA” to the list of government agencies above.\]](#)

[Government response: The Government believes mentioning these agencies is not appropriate as the Government does not anticipate any testimony or evidence regarding the NSA or CIA at trial. Mentioning them could well cause prospective jurors to speculate about what role these agencies played in this case, which would be inappropriate, given that they played no role.]

37. Does any juror have any bias, prejudice or other feelings for or against the United States Attorney's Office, the United States Department of Justice, the FBI, or any other law-enforcement agency?

Prior Jury Service

38. Have you ever served as a member of a grand jury, whether in federal, state, county, or city court? If so, when and where? Were you the foreperson?

39. Have you ever served as a juror in any court? If so, when and in what court did you serve, and was it a civil or criminal case? Did the jury reach a verdict?

Experience as a Witness, Defendant or Crime Victim

40. Have you, or has any member of your family, or associate or close friend ever been involved or appeared as a witness in any investigation by a grand jury or by a governmental agency, or been questioned in any matter by any federal, state, or local law enforcement agency?

41. [\[The defense requests the following instruction\]: Have you ever been a witness in a civil matter or a deposition?](#)

[Government response: The Government does not believe this question is relevant. The questions before and after this one relate to potential jurors' experience with the criminal justice system and crime more generally and are appropriate because they are designed to examine whether a juror may be biased for or against the Government or criminal defendants. A juror's experience in civil litigation seems unlikely to be probative of any such potential bias.]

42. Have you, or has any member of your family, or associate or close friend ever been a witness or a complainant in any prosecution?

43. Are you, or is any member of your family, now under subpoena, or to your knowledge about to be subpoenaed in any criminal case?

44. Have you, or has any member of your family, or associate or close friend, ever been convicted of a crime?

45. Have you, or has any member of your family, or associate or close friend, ever been charged with a crime? Have you ever visited a prison?

46. Have you, or has any member of your family, or associate or close friend ever been the subject of any investigation or accusation by any grand jury, or questioned regarding an investigation?

47. Have you, or has any member of your family, or associate or close friend ever been a victim of a crime? [As to any juror who answers affirmatively to any of the questions in this section, the Court is respectfully requested to inquire, at the bench or in the robing room, into the circumstances and its effect on the juror's ability to be fair and impartial.]

[The defense requests that, in addition, for jurors who answered affirmatively to any of the questions regarding the Russian Federation or the former Soviet Union, the Court inquire at the bench or in the robing room, into the circumstances of any prospective juror's ties to the Russian Federation or former Soviet Union.]

[Government response: The Government does not see the need to inquire at side bar of *every* juror who has any ties to the Russian Federation or the USSR. Questions 40 and 42-46 relate to jurors' interactions with the criminal justice system and crime more generally, which in many cases are issues prospective jurors are understandably reluctant to share publicly. Respectfully, the same is not true for questions about the Russian Federation or the USSR.].

Legal Training

48. Does any juror have any legal or paralegal training? Do you have close friends or relatives who are lawyers or who have legal or paralegal training?

49. Does any juror have any training in law enforcement, homeland security, surveillance technology, or private investigation?

Function of the Court and Jury

50. The function of the jury is to decide questions of fact. You are the sole judges of the facts and nothing that the Court or the lawyers say or do may encroach in any way on your role as the exclusive fact finders. When it comes to the law, however, you are to take your instructions from the Court and you are bound by those instructions. You may not substitute your notions of what the law is or what you think it should be. At the conclusion of the case, your job will be to determine whether or not the defendant is guilty as charged in the Indictment.

51. Does any juror believe that he or she might have difficulty accepting the instructions of law that I will give you in the case?

52. Do any of you believe that our system of criminal justice improperly favors either the prosecution or the defense?

53. Will each juror accept the proposition that the question of punishment is for the Court alone to decide and that the possible punishment must not enter into the deliberations of the jurors as to whether the defendant on trial here is guilty?

54. Will each juror accept the proposition of law that sympathy must not enter the deliberations of the jurors as to guilt or innocence of the defendant and that only the evidence presented here in Court may be used by you to determine the guilt or innocence of the defendant?

55. It is not a particularly pleasant duty to find another individual guilty of committing a crime. Is there any juror who feels that, even if the evidence established the

defendant's guilt beyond a reasonable doubt, he or she might not be able to render a guilty verdict for reasons unrelated to the law and the evidence?

[\[The defense objects to the question above.\]](#)

[Government response: This question is perfectly appropriate and is standard in this District. Indeed, it goes to the heart of what jury selection is all about—identifying jurors who would not be able to reach a verdict based on the law and the evidence and would instead substitute their own biases or personal, philosophical, or other beliefs. There are some who, for religious or other reasons, feel it is not their place to judge other people. This question is necessary to identify such people.]

Other Biases

56. In these questions, I have tried to direct your attention to possible reasons why you might not be able to sit as a fair and impartial juror. Apart from any prior questions, does any juror have the slightest doubt in his or her mind, for any reason whatever, that he or she will be able to serve conscientiously, fairly, and impartially in this case and to render a true and just verdict without fear, favor, sympathy, or prejudice, and according to the law as it will be explained?

Juror's Background

I'm now going to ask each of you a few questions designed to give the parties a better idea of you as a person. Again, these questions are not designed to embarrass you or make you feel uncomfortable. They are simply meant to give the parties a little more information about you.

57. What is your county of residence?

58. What is the highest level of schooling you have completed?

59. What is your present employment? [The defense would add the following sentence]: In addition to your job title, please also briefly describe what you do at your job, to whom you report, and who reports to you? How long have you held your current position? If retired, what did you do before? If unemployed or disabled, what was your most recent employment?

60. What other jobs have you held as an adult?

61. Do you have a spouse or partner? If so, how is your spouse or partner employed?

[The defense would add the following]: How long has your partner held that position? In addition to your spouse or partner's job title, please also briefly describe what your spouse or partner's responsibilities are, to whom he or she reports, and who reports to him or her. If retired, what was your spouse or partner's most recent employment? If unemployed or disabled, what was your spouse or partner's most recent employment?

[Government response: The Government believes that the additional questions proposed by the defense in paragraphs 59 and 61 above are of, at best, marginal relevance and that certain aspects of these questions (such as one's spouse's reporting chain) may be unknown to many jurors. These questions also would require prospective jurors to name co-workers and assign to them places in the hierarchy of the workplace, which may be difficult for prospective jurors to do simply, as hierarchies are not always clear in workplaces, and may make some prospective jurors uncomfortable (as they are asked to assign various people places in a hierarchy), to no end that is of value in jury selection.]

62. Do you have any children? How old are they? If they are adults, how are they employed?

63. Is there anyone else living in your household? Who? What do they do for a living?

64. Which magazines, newspapers, and other periodicals do you read on a regular basis?

65. What television and radio programs do you watch or listen to on a regular basis? Which, if any, do you rely on for news?

66. Do you watch the television program “Russia Today”?

67. Do you listen to the radio show “Davidzon”?

[The defense would add questions 66 and 67 above.]

[Government response: The Government believes that questions 66 and 67 are subsumed within questions 65 and 68 below, and there is no need to identify particular television or radio shows.]

68. Do you watch or listen to any national or international news programs? If so, which ones?

69. How frequently do you watch, read, or search for national or international news?

70. What Internet websites do you visit on a regular basis? What Internet sources, if any, do you rely on for news?

71. Do you use an electronic device for entertainment? If so, for what kinds of entertainment do you use it? For example, are there particular kinds of video games you play or music you listen to?

72. [\[The defense proposes the following\]: Do you have multiple e-mail addresses?](#)

[Government response: The Government submits this question has no relevance to identifying jurors who may be biased for or against the defendant or the Government.]

73. [The defense proposes the following]: Have you watched “The Americans”, “Homeland” or the movie “Bridge of Spies”?

[The Government view is that this question is of little relevance, but if it is asked, would dd “Would anything about having watched these movies or programs make you favor the defendant or the Government in this case?”)

74. Do you belong to or volunteer your time to any associations, organizations, clubs or unions?

75. Have you or any of your family members served in the armed forces? If yes, what service?

76. What else do you do in your spare time?

77. Can you name one, well-known person, living or dead, whom you admire?

The defense proposes the following instead “Can you name three people, living or dead, whom you admire?”

[The Government submits that requiring the person be “well-known” is likely to provide greater insight in the potential juror. If asked to name any person, or any three people, many jurors might name family members or close friends, whom the parties in this case have never met.]

Requested Instruction Following Impanelling of the Jury

78. From now until you retire to deliberate your verdict, it is your duty not to discuss this case, and not to remain in the presence of other persons who may be discussing this case. This rule includes discussions even with other jurors and family or friends.

79. You are not to visit any crime scenes or locations mentioned during the trial. Nor are you to Google or otherwise research any aspect of this case including any of the

underlying facts regarding the crimes that are the subject of this trial. Further, you are not to post anything regarding the trial or your thoughts on the trial on Facebook, Twitter, or any other form of social media until the trial concludes. Indeed, you are not to discuss this case at all until you are deliberating in the jury room.

80. If at any time during the course of this trial, any person attempts to talk to you or to communicate with you about this case, either in or out of the courthouse, you should immediately report such an attempt to me.


81. In this regard, let me explain to you that the attorneys and the defendant are not supposed to talk to jurors, even to offer a friendly greeting. So if you happen to see any of them outside this courtroom they will, and should, ignore you. Please do not take offense. They will only be acting properly by doing so.

82. In this connection, when the Court is in recess, please stay either in the jury room or somewhere outside the courtroom. Please do not wait in the courtroom.

Dated: New York, New York
March 1, 2016

Respectfully submitted,

PREET BHARARA
United States Attorney

By: 

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